



**GEHI & ASSOCIATES**  
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Clerk, Hon. Analisa Torres  
United States District Judge  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

December 12, 2014

re: Alexia Suzett Palmer v. Trump Model Management, LLC  
Case No. 14-CV-8307

Dear Clerk:

I am counsel for Plaintiff Alexia Suzett Palmer in the above-entitled action for unpaid wages and breach of contract. I write in response to the letter filed by Mr. Rosen, counsel for the defendant, today, in which he states that Rule 36 requests do not constitute discovery.

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Rules 26 to 37 constitute the disclosure and discovery rules and are listed together under Title V of the Federal Rules of Civil Procedure (FRCP). A request for admissions is a discovery device that allows one party to request that another party admit or deny the truth of a statement under oath. As such, these Rule 36 requests are bound by the 'General Provisions Governing Discovery' (Rule 26), which includes Rule 26(d)'s timing and sequence of discovery requirements. FRCP 26(d) provides that a "party may not seek discovery from any source before the parties have conferred as required by Rule 26(f), except in a proceeding exempted from initial disclosure under Rule 26(a)(1)(B), or when authorized by these rules, by stipulation, or by court order." Therefore, it is our understanding that any discovery requests, including requests for admissions, are improper unless otherwise ordered by this Court.

We intend to ask the court for leave to amend the complaint pursuant to FRCP 15(a)(2), at or after the initial conference, or file a motion in accordance with the direction of the Court.

Thank you for your help with this matter.

Respectfully submitted,

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Naresh M. Gehi, Esq.  
Attorney for Plaintiff Alexia Suzett Palmer

Enclosures

cc: Lawrence S. Rosen, Esq.  
Patrick McPartland

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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

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**ALEXIA SUZETT PALMER**

: **Case No. 14-CV-8307**

**V.**

**TRUMP MODEL MANAGEMENT, LLC**  
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**CERTIFICATE OF SERVICE**

I, Naresh M. Gehi, hereby certify that on December 12, 2014 I electronically filed this letter with the Clerk of the District Court using its CM/ECF system. I hereby certify that I have mailed a copy of this letter by first-class mail through the United States Postal Service, to the following participants:

Lawrence S. Rosen  
LaRocca Hornik Rosen Greenberg & Blaha LLP  
The Trump Building  
40 Wall Street  
32nd Floor  
New York, NY 1005

/s/ Naresh M. Gehi